REMARKS

I.   General

Claims 1-73 are pending in the present application. Applicant notes with appreciation that claims 24-30 and 32-63 stand allowed and that claims 1-23, 31, and 64-73 would be allowed if amended to overcome the 35 U.S.C. § 112, second paragraph, rejections of record.

II.   The 35 U.S.C. § 112 Rejections

Claims 1-23, 31, and 64-73 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses the rejections of record.

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite because the Examiner asserts that the claim sets forth a single means, Office Action at page 2. Applicant respectfully disagrees and asserts that the claim recites structure rather than means for performing a function under 35 U.S.C. § 112, sixth paragraph. Specifically, claim 1 recites "a compatibility coefficient calculator". As set forth in the specification, embodiments of the invention provide "structure for calculating compatibility between various ATs and protocols for selecting specific groups of ATs for simultaneous communication in an efficient manner," page 9, lines 24-26. Example embodiments of such structure are shown in the functional block diagrams of Figures 2, 5, and 9. This structure may be realized as circuits in a number of well known technologies. For example, as expressly discussed in the specification at page 32, lines 4-8, application specific integrated circuits or a general purpose processor based system operating under control of a software instruction set defining inventive operation as claimed may provide the circuitry of embodiments of the present invention.

However, in an effort to expedite prosecution, Applicant has amended claim 1 herein to more clearly recite the structure originally presented as well as to expressly recite structure which was implicit in the claim as originally submitted. Claims 2, 9, and 13 have been amended to track the amended language of claim 1. No new matter has been added as the amended claim language is implicit from the claim as originally submitted and/or is present

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in the specification as filed, see e.g., page 13, lines 3-17, page 32, lines 4-8, and Figure 2. The claim amendments have not been made to distinguish the claims over any prior art and Applicant asserts that the amendments are not narrowing. It is believed that the amendment to expressly recite "circuitry" as well as expressly reciting the "array response vector information input" fully redresses the Examiner's stated basis for the 35 U.S.C. § 112, second paragraph, rejection of record.

The Office Action asserts that it is not understood what each symbol stands for in the expressions of claims 6 and 31. Attention is directed to the specification at page 16, lines 19-29, wherein a discussion of choosing a correlation threshold according to embodiments of the invention is provided. Therein a threshold (e.g., thres) is taught to be a predetermined threshold value for multiplying with a filtered reference correlation for comparison with a filtered compatibility correlation. The threshold is taught to be approximated as a value threshold^{mBits}, taught to preferably be a value from 1 to 3 bits, multiplied by a number of bit shifts, $2^{EXPthreshold}$. It is respectfully asserted that claim 6 and 31, particularly when read in light of the specification, are clear.

Applicant has, however, amended claims 6 and 31 to remove recital of "preferably" therein. Applicant believes the amended claims more affirmatively set forth the limitations originally submitted. No new matter has been added.

Claim 9 is asserted to be confusing for reciting "a compatibility coefficient calculator", "a reference coefficient calculator", and "a comparator". In addition to amending claim 9 to present language consistent with the amended language of claim 1, Applicant has amended claim 9 to recite "second" with respect to each of the compatibility coefficient calculator, the reference coefficient calculator, and comparitor recited therein. These amendments do not alter the scope of claim 9, but rather make it clear that a compatibility coefficient calculator, a reference coefficient calculator, and a comparitor are additionally recited thereby. The amendments to claim 9 are asserted to redress the 35 U.S.C. § 112, second paragraph, rejections of record.

Claim 17 stands rejected because "said filter coefficient k" recited therein lacks antecedent basis. Applicant has amended claim 17 to depend from claim 16, providing

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antecedent basis for the limitations thereof, rather than claim 7. No new matter has been added.

Claim 64 stands rejected as being incomplete for omitting essential steps. In particular, the Office Action states that "there is no essential step of how each array response vector is generated and transmitted, and how each array response vector is associated with its corresponding access terminal," Office Action at page 2. Applicant has not taught that any particular way of generating or transmitting an array response vector is critical to the invention as claimed, see e.g., page 9, lines 18-23. Likewise, Applicant has not taught that any particular way of associating an array response vector with its corresponding access terminal is critical to the invention as claimed, id. Applicant has provided detail with respect to various embodiments analyzing array response vector information to determine a service group of access terminals compatible for simultaneous communications, see e.g., page 13, lines 3-9, page 14, lines 3-8, and page 18, lines 3-9. Applicant has further provided detail with respect to various embodiments scheduling high data rate communications with respect to access terminals of a service group, see e.g., page 30, lines 14-22. Applicant has fully enabled the invention set forth in claim 64 and has not taught any critical elements which have been omitted from the claim, see M.P.E.P. § 2172.01. Accordingly, Applicant asserts that the claim is allowable over the 35 U.S.C. § 112 rejection of record.

III.   **Summary**

In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 65948/P052US/10400201 from which the undersigned is authorized to draw.

Dated: December 16, 2005   Respectfully submitted,

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